

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

AGENCY ONE INSURANCE, INC.,  
PAMELA A SIROKY,

Plaintiffs,

vs.

WESTPORT INSURANCE CORP.,

Defendant.

**8:13CV78**

**MEMORANDUM AND ORDER**

After conferring with the parties,

**IT IS ORDERED:**

- 1) On or before August 15, 2014, Metropolitan Property and Casualty Insurance Company shall file any motion to substitute itself for the currently named plaintiffs as the real party in interest for this lawsuit. The plaintiffs shall file a copy of the written assignment of Plaintiffs' above-captioned case to Metropolitan Property and Casualty Insurance Company, either as a separate filing on this court's docket, or as an attachment to its motion to substitute.
- 2) The summary judgment filing deadline is September 15, 2014.
- 3) Although the discovery deadline has otherwise passed, the parties may engage in additional discovery limited to exploring the terms and underlying basis of the settlement reached between Agency One Insurance, Inc. and Pamela A Siroky, the above-named plaintiffs, and Metropolitan Property and Casualty Insurance Company in a companion Iowa federal case. ([Filing No. 67-1](#)). The deadline for completing this discovery is November 3, 2014.
- 4) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on **November 25, 2014 at 2:00 p.m.**, and will be conducted by WebEx Conferencing. An email will be sent to counsel of record with the instructions and codes for participating in the pretrial conference by WebEx. The parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to [zwart@ned.uscourts.gov](mailto:zwart@ned.uscourts.gov), in either Word Perfect or Word format, by 5:00 p.m. on November 24, 2014.

- 5) The jury trial of this case is set to commence before Richard G. Kopf, Senior United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on Monday, December 08, 2014, or as soon thereafter as the case may be called, for a duration of five (5) trial days. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.

August 5, 2014

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge